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11 **UNITED STATES DISTRICT COURT**

12 **DISTRICT OF NEVADA**

13 UNITED STATES OF AMERICA,)
14 Plaintiff,) Case No. 2:11-cv-1133-APG-CWH
15 v.)
16 2009 MERCEDES-BENZ, MODEL SL550)
VIN: WDBSK71F39F142690,)
17 2006 FERRARI F430)
18 VIN: ZFFEW58A360149771,)
19 2008 SUPRA 24 SUNSPORT)
SERIAL NO. ISRSF031A808,)
20 2008 BOAT MATE TRAILER)
21 VIN: 5A7BB242X8T002509,)
22 2009 HONDA PILOT EX-L)
VIN: 5FNYP485X9B050010,)
23 Defendants.)
24

25 **DEFAULT JUDGMENT OF FORFEITURE**
26

DEFAULT JUDGMENT OF FORFEITURE

The United States filed a verified Complaint for Forfeiture in Rem on July 8, 2011. Complaint, ECF No. 1. The Complaint (ECF No. 1) alleges the defendant properties:

- a. Are involved in transactions or attempted transactions in violation of 18 U.S.C. § 1956, or are properties traceable to such properties, and are subject to seizure pursuant to 18 U.S.C. § 981(b), and are subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A);
- b. are involved in transactions or attempted transactions in violation of 18 U.S.C. § 1957, or are properties traceable to such properties, and are subject to seizure pursuant to 18 U.S.C. § 981(b), and are subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(A); and
- c. constitute or are derived from proceeds traceable to violations of 18 U.S.C. § 1343, a specified unlawful activity as defined in 18 U.S.C. § 1956(c)(7)(A) and 1961(1)(B), or a conspiracy to commit such offenses, are subject to seizure pursuant to 18 U.S.C. § 981(b), and are subject to forfeiture pursuant to 18 U.S.C. § 981(a)(1)(C).

On July 18, 2011, the Court entered the Orders for Summons and Warrant of Arrest in Rem for the Property and Notice and issued the Summonses and Warrants of Arrest in Rem. Orders for Summons and Warrant, ECF No. 8, 10, 12, 14, and 16; Summonses and Warrants, ECF No. 9, 11, 13, 15, and 17.

Pursuant to the Orders (ECF No. 8, 10, 12, 14, and 16), the Complaint (ECF No. 1), the Orders (ECF No. 8, 10, 12, 14, and 16), the Summonses and Warrants (ECF No. 9, 11, 13, 15, and 17), and the Notice of Complaint for Forfeiture (ECF No. 36, p. 35-37) were served on the defendant properties and all persons claiming an interest in the defendant properties. All persons interested in the defendant properties were required to file their claims with the Clerk of the Court no later than 35 days after the notice of this action was sent by mail, followed by the filing of an answer to the Complaint within 21 days after the filing of their respective claims. Complaint, ECF No. 1; Orders for

1 Summons and Warrant, ECF No. 8, 10, 12, 14, and 16; Summonses and Warrants, ECF No. 9, 11, 13,
2 15, and 17; Notice of Complaint, ECF No. 36, p. 35-37.

3 On August 5, 2011, and August 15, 2011, the United States Marshals Service served the
4 Complaint, the Orders, the Summonses and Warrants of Arrest in Rem for the Property, and the Notice
5 by executing them on the defendant properties. Notice of Filing Service of Process, ECF No. 27 and
6 29.

7 On October 5, 2013, the United States Marshals Service served the Complaint, the Orders, the
8 Summonses and Warrants of Arrest in Rem for the Property, and the Notice on Robert Johnson by
9 regular mail and certified return receipt mail. Notice of Filing Service of Process, ECF No. 36, p. 3-37.

10 Public notice of the forfeiture action and arrest was given to all persons and entities by
11 publication on the official government website www.forfeiture.gov from August 11, 2011, through
12 September 9, 2011. Notice of Filing Proof of Publication, ECF No. 30.

13 No other person or entity has filed a claim, answer, or responsive pleading within the time
14 permitted by 18 U.S.C. § 983(a)(4) and Fed. R. Civ. P. Supp. Rule G(4) and (5).

15 On November 22, 2013, the United States filed a Motion for Entry of Clerk's Default against
16 the defendant property and all persons or entities who claim an interest in the defendant property in the
17 above-entitled action. Motion for Entry of Clerk's Default, ECF No. 38.

18 On November 26, 2013, the Clerk of the Court entered a Default against the defendant
19 property and all persons or entities who claim an interest in the defendant property in the above-
20 entitled action. Clerk's Entry of Default, ECF No. 39.

21 Claimant is not in the military service within the purview of the Servicemen's Civil Relief Act
22 of 2003. Status Report Pursuant to Servicemembers Civil Relief Act.


23 The allegations of the Complaint are sustained by the evidence and are adopted as findings of
24 fact. The Court concludes as a matter of law that the United States is entitled to the relief requested in
25 the Complaint.

26 . . .

1 NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
2 Default Judgment of Forfeiture be entered against (1) 2009 MERCEDES-BENZ, MODEL SL550
3 VIN: WDBSK71F39F142690; 2006 FERRARI F430 VIN: ZFFEW58A360149771; 2008 SUPRA 24
4 SUNSPORT SERIAL NO. ISRSF031A808; 2008 BOAT MATE TRAILER VIN:
5 5A7BB242X8T002509; 2009 HONDA PILOT EX-L VIN: 5FNYP485X9B050010; (2) Robert
6 Johnson; and (3) all other persons and entities having an interest in the defendant property in the
7 above-entitled action.

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that said property be, and the
9 same is hereby forfeited to the United States of America, and no right, title, or interest in the property
10 shall exist in any other party.

11 IT IS HEREBY CERTIFIED, pursuant to 28 U.S.C. § 2465(a)(2), that there was reasonable
12 cause for the seizure or arrest of the defendant property.

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14 _____
UNITED STATES DISTRICT JUDGE

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16 DATED: January 16, 2014 _____
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